

1                                   **CITY COUNCIL OF THE CITY OF ANNAPOLIS**

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3                                   **ORDINANCE NO. O-33-04Amended**

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5                                   **Introduced by Mayor Moyer**  
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8 **AN ORDINANCE** concerning  
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10                                   **Zoning of Annexed Land - AIC Forest, LLC**

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12 **FOR** the purpose of establishing a zoning classification of R3, General Residence District  
13 for certain property which is owned by AIC Forest, LLC, and is located to the  
14 southwest of Forest Drive near the intersection of Spa Road and Forest Drive; and  
15 all matters relating to said zoning map amendment.  
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17                                   \* \* \* \* \*

18  
19 **WHEREAS,** the Annapolis City Council has received the application filed by AIC Forest,  
20 LLC, pursuant to Section 21.08.060 of the Annapolis City Code to designate  
21 a zoning district classification of R3, General Residence District for the  
22 property located to the southwest of Forest Drive near the intersection of Spa  
23 Road and Forest Drive; and  
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25 ~~**WHEREAS,** the Annapolis City Council heard and received the report and~~  
26 ~~recommendations of the Department of Planning and Zoning and the~~  
27 ~~Planning Commission of the City of Annapolis upon said application on~~  
28 ~~\_\_\_\_\_, 2004 and~~  
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30 ~~**WHEREAS,** the Annapolis City Council conducted a public hearing in conjunction with the~~  
31 ~~application on February 28, 2005; and~~  
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33 **WHEREAS,** the Annapolis City Council conducted a public hearing on February 14, 2005,  
34 at which time the Council heard a staff report presented by the Director of  
35 Planning and Zoning and the report of the Planning Commission and  
36 received the Findings of Fact and Recommendations of the Planning  
37 Commission adopted January 6, 2005, together with a Memorandum from  
38 the Planning and Zoning Director to the Planning Commission dated  
39 December 10, 2004 and a Memorandum to the City Council dated January  
40 6, 2005; and during which hearing testimony was taken from the applicant  
41 and counsel, members of the general public were afforded the opportunity to  
42 offer testimony and documentary evidence was submitted and received; and

**WHEREAS**, having considered the application, testimony and evidence presented, and the report and recommendations of the Planning Commission and the Department of Planning and Zoning, and having weighed the evidence and judged the credibility of witnesses appearing before it, the City Council makes the following findings of fact:

**FINDINGS**

1. In conformance with the laws of the State of Maryland and the City of Annapolis, the AIC Forest, LLC, property was annexed to the City by R-19-04 adopted on March 14, 2005, and effective April 28, 2005. The entire site is designated as suitable for medium density residential uses under the Annapolis Neck Small Area Plan, adopted March 17, 2003 by the Anne Arundel County Council by Bill No. 83-02; and
2. Reclassification of the AIC Forest, LLC, property from Anne Arundel County Zoning District R10 - Residential District to City of Annapolis Zoning District, R3, General Residence District, is in conformance with the 1998 Annapolis Comprehensive Plan, surrounding land uses and zoning districts. The City's Department of Planning and Zoning and the Planning Commission, have recommended the designation of R3, General Residence District as being in the public interest.

**SECTION I: BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY COUNCIL** that the application by AIC Forest, LLC, to designate a zoning classification of R3, General Residence District for the property located to the southwest of Forest Drive near the intersection of Spa Road and Forest Drive, earlier annexed, be approved and hereby granted, subject to all the requirements of Chapter 21 of the Code of the City of Annapolis.

**SECTION II: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY COUNCIL** that the R3, General Residence District boundary lines for the property annexed to the City, as shown in four C. D. Meekins & Associates, Inc., maps entitled: Topographic Map Showing Existing Zoning Classifications, Topographic Map Showing Proposed Zoning Classification, Portion of Tax Map Showing Existing Zoning Classification, and Portion of Tax Map Showing Proposed Zoning Classification. Copies of these maps are attached hereto and incorporated herein by reference. True copies of the Zoning Maps as adopted by this ordinance shall be maintained permanently in the Department of Planning and Zoning.

SECTION III: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY COUNCIL that this ordinance shall take effect on April 28, 2005.

ADOPTED this 14<sup>th</sup> day of March, 2005.

ATTEST:

THE ANNAPOLIS CITY COUNCIL

\_\_\_\_\_  
Deborah Heinbuch, MMC  
City Clerk

BY: \_\_\_\_\_  
ELLEN O. MOYER, MAYOR

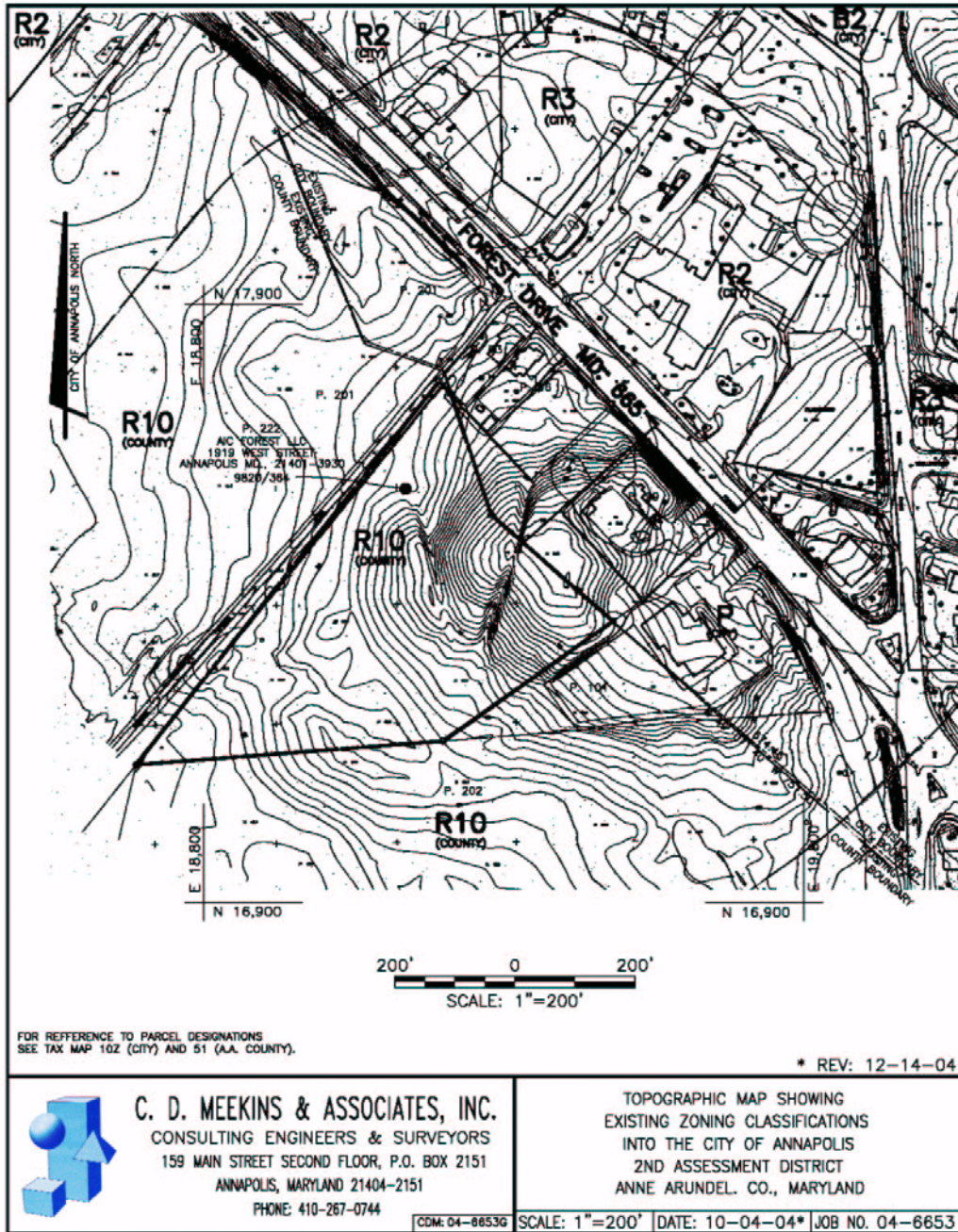
**EXPLANATION:**

Redlining indicates matter added to existing law.

~~Strike Out indicates matter deleted from existing law.~~

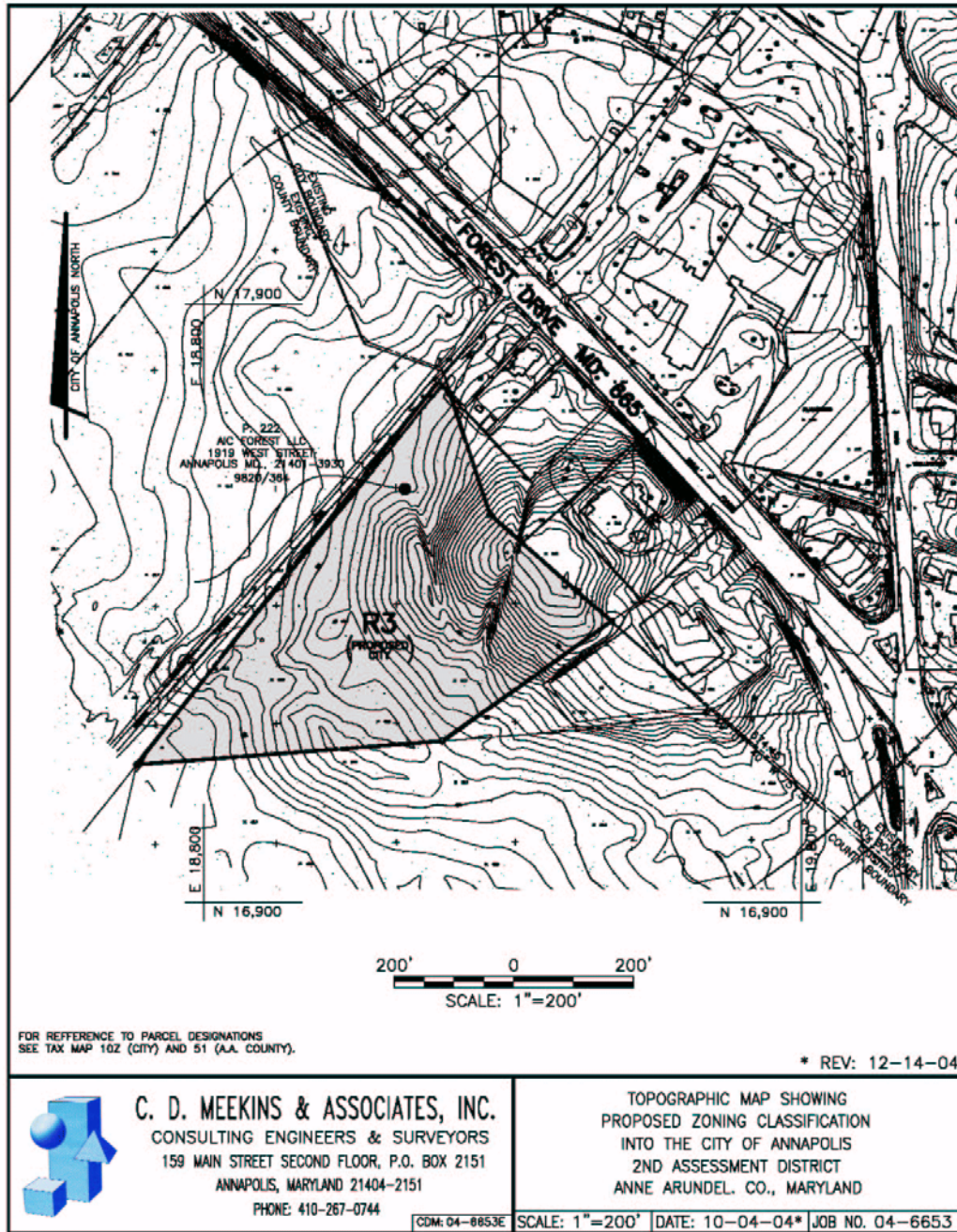
Underlining indicates amendments.

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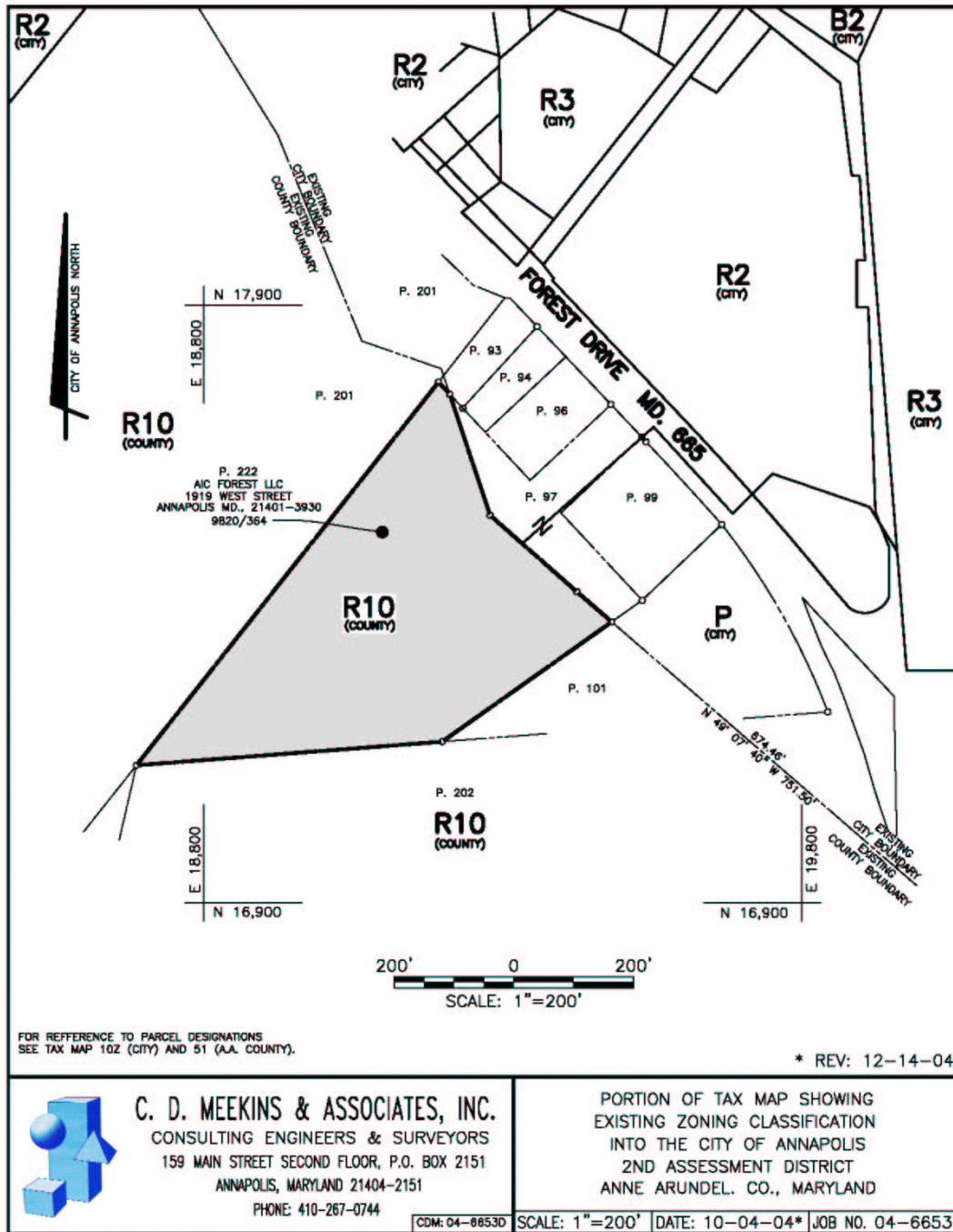




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